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Attorney of Record

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kelly J. Henrickson, et al.
Serial No.: 09/484,704
Filed: January 18, 2000
For: VIRUS ASSAY METHOD
Group Art Unit: 1656
Examiner: J. Siew

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TECH CENTER 1600/290

Commissioner For Patents
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

Dear Sir:

In the matter of the above-identified case and in response to the August 15, 2001 Office Action, Applicants respectfully request that the following amendments and remarks be entered.

In the Claims:

34. (Amended) A method of detecting the presence of a target nucleic acid in a biological sample comprising the steps of
- (a) isolating nucleic acid from a biological sample,
 - (b) exposing the nucleic acid or cDNA created from the nucleic acid to at least one primer pair, comprising a 5' and a 3' primer, specific for the target

C1

Sub
D2

Sub
D2
cont
C1

nucleic acid under conditions suitable for nucleic acid amplification and wherein the 5' and 3' primers are of unequal concentration, wherein a double-stranded amplification product is formed if the sample contains the target nucleic acid, and

conc'l

(c) determining whether the amplification product is present by exposing the step (b) products to protein-linked oligonucleotide probes under conditions suitable for hybridization between complementary nucleic acid sequences and examining the probes for the presence of a hybridization product, wherein the oligonucleotide probe is of a sequence identical to a the target nucleic acid.

Amendments in the Title:

sub
D1
C2

Please delete the current title and insert the following title: -METHOD OF DETECTION OF VIRUS INFECTION--.

REMARKS

The August 18, 2001 Office Action has requested a new title, rejected all claims under double patenting, and rejected all claims under 35 U.S.C. § 103. In light of the amendments above and the arguments below, Applicants respectfully request reconsideration.